

“The Internet in China: A Tool for Freedom or Suppression?”



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Human Rights and International Relations

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Mr. Chairman, Committee members, thank you for inviting me to participate in today's hearing on the Internet in China. I believe this hearing has had the salutary effect of helping us focus our approaches to the many issues involved in this complex subject. As the Secretary made clear in her February 14 announcement of a new government task force to lead the way in resisting challenges to Internet freedom, the right to freedom of expression is firmly anchored in international law and in multilateral conventions and is an American foreign policy priority. We intend to sustain a robust foreign policy response to these challenges. I welcome the opportunity to join with you and my colleague, Ambassador David Gross, the Deputy Assistant Secretary of State for International Communications and Information Policy, to help the subcommittee explore this important topic.

China's policy of economic reform and opening up has resulted in the integration of China into the world community in ways more profound than many would have predicted, though the degree and scope of integration has varied by sector and subject. Nowhere is this better seen than in the Chinese government's efforts to adapt to – and control – new technologies. What the fax was in the late 1980s and the cell phone has been a decade later, so the Internet has become in the 21st century – a vital force for spreading information and exchanging ideas. China's leadership recognizes the centrality of the Internet and the free flow of information in providing the economic data to make China's market-oriented reform possible, but its effort to regulate the political and religious content of the Internet is counter to our interest, to international standards, and, we argue, to China's own long-term modernization goals.

We believe China will not achieve its ambitious development goals unless it opens its political system further and allows the full participation of its citizens in the political process. There are abundant tools available to the Chinese people in the technological and information sector to create the stable, prosperous and just society that would serve China best. In 1997 the number of Internet users in China was approximately 600,000. Today there are 111 million internet users in China – still just 8 percent of China’s population – making China second only to the United States in total number of users. As Beijing looks at the world around it, it sees a flow of information into China – not just from the Internet but also from cell phones (China has more than 350 million of them), text messages and a large and growing foreign business, student and tourist presence – that challenges the government and society to conceive and formulate new ways of doing business, interacting socially, and relating to one another.

We are firm in the conviction that the flow of information into and throughout China will not reverse itself. As the President said in Kyoto, Japan in November, as China reforms its economy, its leaders will find that once the door to freedom is opened a crack, it can not be closed. The President, Secretary Rice, and senior Administration officials remain deeply engaged in our efforts to challenge the Chinese to open the door further and think creatively about a future in which the ideas of individual citizens help to keep China at the cutting edge of 21st century development.

Regrettably, China’s leadership efforts to monitor the content of the Internet have accelerated in the past year, sending a chilling message to all Internet users. Beginning in March 2005, PRC authorities began to enforce the “Computer Information Network and International Internet Security Protection and Administration Regulations” which require that all website operators register their sites with the local Public Security Bureau within 30 days of beginning operations. The Chinese government has shut down thousands of sites for failing to register. Then in July, the government issued new regulations requiring instant message users and bloggers to use their real names.

An attempt to exert even greater control came in September with “The Rules on the Administration of Internet News Information Services,” promulgated by the State Council Information Office and the Ministry of Information Industry. These rules – like those dating back to 1999 when the Chinese government first sought to control what Internet Content Providers could and could not publish – try to ensure that ideas that do not have the

government's imprimatur or that challenge its authority do not take root in China. The rules are hard to interpret, especially when they mandate that Internet News Information Service Work Units or organizations may not include content that jeopardizes the security of the nation, divulges state secrets, subverts the national regime, jeopardizes the integrity of the nation's unity, harms the honor of the nation, or disturbs social stability, among other cautions. These vague and variably interpreted restrictions limit search results on ICPs operating inside China about, for example, the Tiananmen Massacre, the Dalai Lama, democracy, or human rights, to name just a few terms that are subject to content control.

Even issues that appear to be somewhat distant from the subject of political reform can be captured by the government's overriding focus on social order. For example, it is clear in retrospect that the government initially sought to restrict public awareness of public health and environmental issues such as the SARS outbreak in 2003 and the recent Songhua River spill in northern China.

We have raised our concerns about content control and about the treatment of Internet activists repeatedly and firmly with the Chinese government.

- We have expressed concern about the cases of journalists, editors, and writers detained or imprisoned for expressing their view or sharing information on the Internet including Shi Tao, who was sentenced to ten years for forwarding Chinese government instructions on how the media should cover 16th Anniversary of the Tiananmen Massacre.
- We have told the Chinese government that we are also deeply troubled that another individual, Li Zhi, was reportedly imprisoned earlier for expression of his views over the Internet.
- In addition, we have protested the sentencing of Yang Zili, an activist who was part of an Internet group discussing political reform, and Li Changqing and Yang Tianshui, who were both arrested for their Internet-based writings.
- Censorship and restrictions on media outlets, including the Internet, have been the subject of numerous and frank protests to the Chinese – including one by our Charge in Beijing on February 9 – and will be a key topic of discussion when Assistant Secretary for Democracy, Human Rights and Labor Barry Lowenkron holds meetings in Beijing, which began today. He will express our deep

concern about China's efforts to control the free flow of information in violation of international commitments, including those made at the World Summit on the Information Society to "seek, receive, impart and use information, in particular for the creation, accumulation and dissemination of knowledge." Ambassador Gross has addressed that matter here today.

Despite the presence of thousands of government monitors – perhaps as many as 25-30,000 by one estimate – and the involvement of more than 20 ministries and government organs in "managing the Internet," China's success in its attempts to control this technology has been limited at best.

- While Internet use and content is officially restricted, registration requirements and enforcement vary by Internet café and by city in China. Of course, computer savvy Internet users can usually get around the censors by using any number of proxy servers. In fact, one commonly used service, Anonymizer, a leading online identity protection technology, has just announced that it is developing "a new anti-censorship solution that will enable Chinese citizens to access the entire Internet safely and filter-free, and also free from oppression and fear of persecution or retribution. The new program is expected to be available before the end of the first quarter 2006.
- Some sophisticated Chinese Internet users are adept at using code words or symbols to get their views across without triggering key word filters.
- American officers in China have found that news containing politically-sensitive words can be accessed, though its availability varies day-to-day and site-to-site.
- Many well-known English language websites including the *New York Times* and *Washington Post* are accessible but others including Voice of America, the BBC, and Reporters Sans Frontiers are consistently blocked. We have and will continue to protest these blocks.
- The Department of State's Embassy and Consulate sites, though subject to intermittent blocking, are generally available and provide access to U.S. policy statements and the Department's Human Rights Reports.

Of course, censorship efforts need not be widespread or effective across the board to achieve their aim. Censors just need to arrest and sentence a few prominent individuals to send a chilling message. But I believe, as do many in China, that controlling the Internet to the extent that the Chinese government has

sought to do is likely to be futile in the long term. As Professor Xiao Qiang, the leader of the Internet project at the University of California at Berkeley and from whom you will hear later in this hearing, is quoted in the February 9 *New York Times*, “Symbolically, the government may have scored a victory with Google, but Web users are becoming a lot more savvy and sophisticated, and the censor’s life is not getting easier.” The *Times* goes on to note that “Microsoft alone carries an estimated 3.3 million blogs in China. Add to that the estimated 10 million blogs on other Internet services, and it becomes clear what a censor’s nightmare China has become.”

I expect that market forces will continue to push China toward a less restrictive approach to the flow of information. The international and domestic business communities in China will continue to demand not only the hardware for the information age, but also the software, including unfettered access to the Internet and seamless broadband connections unburdened by filtering and other government efforts that render commercial operations less effective, reliable, and efficient.

Mr. Chairman, we will do our best to shape public and private interaction with China in ways that advance fundamental human rights, including those for Internet users. This is a central tenet of the Secretary’s new task force on Internet Freedom. I assure you that this Administration will engage the Chinese government on these issues in ways that promote American values and ideals.